

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

SCOTT M. THORNTON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-08-575-D
)	
LARRY HILL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter is before the Court for review of the Report and Recommendation issued June 17, 2009 [Doc. No. 115], by United States Magistrate Judge Robert E. Bacharach pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Bacharach recommends that Defendant Correctional Healthcare Management, Inc.'s Motion for Summary Judgment [Doc. No. 83] be granted in part and denied in part.

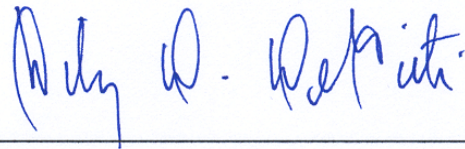
The deadline for filing objections to the Report was July 8, 2009. A review of the case file reveals no party has filed a timely objection nor requested additional time to object.¹ Thus, the Court finds that further review of the issues addressed in the Report is waived.

IT IS THEREFORE ORDERED that the Court adopts the Report and Recommendation [Doc. No. 115] in its entirety. Defendant Correctional Healthcare Management, Inc.'s Motion for Summary Judgment [Doc. No. 83] is GRANTED in part and DENIED in part. Defendant Correctional Healthcare Management, Inc. is entitled to summary judgment on Count I, alleging a

¹ Judge Bacharach has issued a separate report [Doc. No. 102] regarding a dispositive motion filed by other defendants, who have objected to that report. Their objections are addressed by a separate order.

denial or obstruction of administrative remedies in violation of Plaintiff's constitutional rights, and summary adjudication of issues under Count V, alleging denial of medical treatment for abdominal/chest pain and a chronic cough. A genuine dispute of material facts precludes summary judgment on Plaintiff's allegation in Count V that he was denied adequate treatment for an injury to his right hand in December, 2007.

IT IS SO ORDERED this 15th day of July, 2009.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE